

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DONALD HEIMSTAEDT and TODD
KORTE,

Plaintiffs,

-against-

PREM.AIR NEW YORK, LLC, PREM.AIR
GROUP OF NEW YORK, LLC,
PREM.AIR GROUP, LLC, MCQUAY
NEW YORK, LLC, GEORGE
KOUTSSOS, ERIC BERKOWITZ,
MCQUAY NEW YORK, LLC 401(K)
PROFIT SHARING PLAN, and XYZ
TRUSTEES OF THE MCQUAY NEW
YORK, LLC 401(K) PROFIT SHARING
PLAN,

Defendants.

CIVIL ACTION NO. 07 CV 9389 (JSR)

Civil Action

**NOTICE OF MOTION TO ADMIT ADAM
J. SKLAR, ESQ. *PRO HAC VICE* AS
COUNSEL FOR PLAINTIFFS**

PURSUANT TO RULE 1.3 (c) of the Local Rules of the United States District Court for
the Southern District of New York, I, Randi W. Kochman, Esq., a member in good standing of
the bar of this Court, hereby move for an Order allowing the admissions *pro hac vice* of:

Applicants Name: Adam J. Sklar, Esq.
Firm Name: Cole, Schotz, Meisel, Forman & Leonard P.A.
Address: 900 Third Avenue – 16th Floor
New York, New York 10022
and
25 Main Street, Hackensack, New Jersey 07602
Phone Number: (212) 758-8000 and (201) 525-6234
Fax Number: (201) 678-6234

Adam J. Sklar, Esq. is a member in good standing of the Bar of the States of New York and New Jersey. There are no pending disciplinary proceedings against Adam J. Sklar in any State or Federal Court;

Dated: December 11, 2007
New York, New York

Respectfully submitted,

COLE, SCHOTZ, MEISEL, FORMAN &
LEONARD, P.A.
A Professional Corporation

By: 

Randi W. Kochman (RK 0971)
Attorneys for Plaintiffs Donald Heimstaedt and
Todd Korte
900 Third Avenue – 16th Floor
New York, New York 10022
(212) 752-8000

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TRUSTEES OF THE MCQUAY NEW
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PLAN,

Defendants.

CIVIL ACTION NO. 07-CV-9839 (JSR)

Civil Action

**AFFIDVIT OF RANDI W. KOCHMAN,
ESQ. IN SUPPORT OF MOTION TO
ADMIT ADAM J. SKLAR, ESQ. *PRO HAC*
VICE AS COUNSEL FOR PLAINTIFFS**

STATE OF NEW JERSEY)

) ss.:

COUNTY OF BERGEN)

RANDI W. KOCHMAN, being duly sworn, deposes and says:

1. I am an attorney-at-law in good standing of the State of New Jersey and a member of the firm of Cole, Schotz, Meisel, Forman & Leonard, P.A., counsel for Plaintiff's Donald Heimstaedt and Todd Korte in the above matter. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Adam J. Sklar, Esq. as counsel pro hac vice in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1996. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Adam J. Sklar, Esq. since 2005.

4. Mr. Sklar is an associate of the firm of Cole, Schotz, Meisel, Forman & Leonard, P.A.

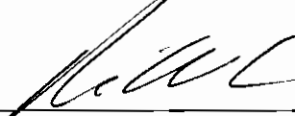
5. I have found Mr. Sklar to be a skilled attorney and a person of integrity. He is experienced in Federal Practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move the admission of Adam J. Sklar, Esq. pro hac vice.

7. I respectfully submit a proposed order granting the admission of Adam J. Sklar, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Adam J. Sklar, Esq., pro hac vice, to represent Plaintiffs in the above-captioned matter, be granted.


Respectfully submitted



Randi W. Kochman

Dated: December 11, 2007
New York, New York

Sworn and subscribed to
before me this 11th day
of December, 2007



Notary Public

KAREN L. CHIANDUSSE
A Notary Public of New Jersey
My Commission Expires 7/12/2012

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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KORTE,

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TRUSTEES OF THE MCQUAY NEW
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PLAN,

Defendants.

CIVIL ACTION NO. 07-CV-9839 (JSR)

Civil Action

**AFFIDVIT OF ADAM J. SKLAR, ESQ. IN
SUPPORT OF MOTION FOR
ADMITTANCE *PRO HAC VICE* AS
COUNSEL FOR PLAINTIFFS**

STATE OF NEW JERSEY)

) ss.:

COUNTY OF BERGEN)

ADAM J. SKLAR, being duly sworn, deposes and says:

I. I am an attorney-at-law in good standing of the States of New York and New Jersey and an associate of the firm of Cole, Schotz, Meisel, Forman & Leonard, P.A. This affidavit is submitted in support of Plaintiffs' motion for my admission pro hac vice in the above matter.

2. My firm has offices in New York located at 900 Third Avenue, 16th Floor, New York, NY 10022 and in New Jersey at 25 Main Street, Court Plaza North, Hackensack, NJ 07601.

3. I was admitted to practice law in the State of New Jersey in 1996 and the State of New York in 1999. Annexed jointly hereto as **Exhibit A** are the Good Standing Certificates of the above-named Courts.

4. I am a member in good standing in all of the jurisdictions and courts to which I have been admitted.

5. No disciplinary proceedings are pending against me in any jurisdiction and no discipline has previously been imposed against me in any jurisdiction.

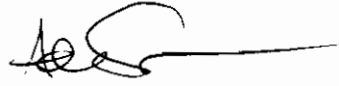
6. Plaintiffs have requested that I be admitted pro hac vice for this matter. I have particular experience in the relevant areas of law and knowledge of the facts and issues in this proceeding.

7. I am familiar with and shall comply with the standards of professional conduct imposed upon members of the New York bar, including the Rules of Court Governing the Conduct of Attorneys and the Disciplinary Rules of the Code of Professional Responsibility.

8. I agree to be subject to the jurisdiction of the courts of this State with respect to any act occurring during the course of my participation in this matter.

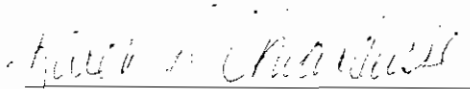
9. I will notify the Court immediately of any matter affecting my standing at the bar of any other court.

10. All pleadings in this matter shall be signed by a member of the Bar of the State of New York admitted in the United States District Court for the Southern District of New York from the law firm of Cole, Schotz, Meisel, Forman & Leonard, P.A.



Adam J. Sklar

Sworn and subscribed to
before me this 17th day
of December, 2007



Notary Public

KAREN L. CHIANDUSSE
A Notary Public of New Jersey
My Commission Expires 7/12/2012



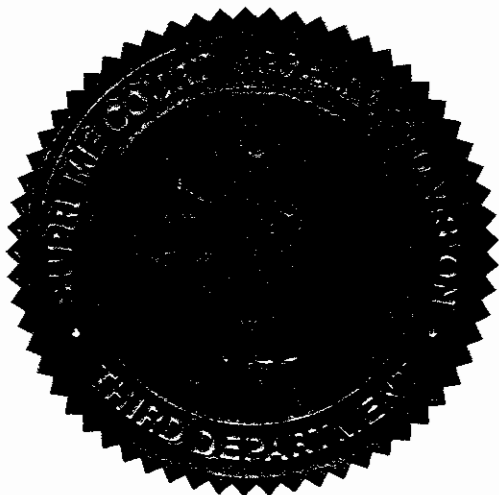
State of New York
Supreme Court, Appellate Division
Third Judicial Department

I, Michael J. Novack, Clerk of the Appellate Division of the Supreme Court of the State of New York, Third Judicial Department, do hereby certify that

Adam Jason Sklar

having taken and subscribed the Constitutional Oath of Office as prescribed by law, was duly licensed and admitted to practice by this Court as an Attorney and Counselor at Law in all courts of the State of New York on the 22nd day of June, 1999, is currently in good standing and is registered with the Administrative Office of the Courts as required by section four hundred sixty-eight-a of the Judiciary Law.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court, at the City of Albany, this 7th day of December, 2007.



Michael J. Novack

Clerk

Supreme Court of New Jersey

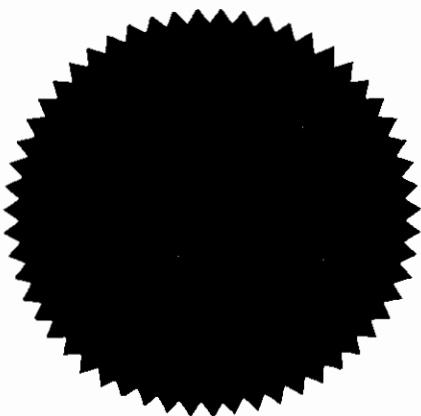


Certificate of Good Standing

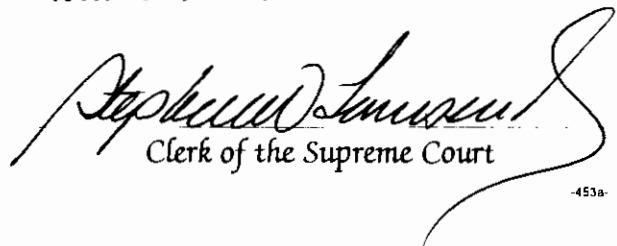
This is to certify that **ADAM JASON SKLAR**
(No. **047101996**) was constituted and appointed an Attorney at Law of New Jersey on **December 16, 1996** and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.



In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
10TH day of December , 20 07


Clerk of the Supreme Court

RECEIVED
12/12/07

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DONALD HEIMSTAEDT and TODD
KORTE,

Plaintiffs,

-against-

PREM.AIR NEW YORK, LLC, PREM.AIR
GROUP OF NEW YORK, LLC,
PREM.AIR GROUP, LLC, MCQUAY
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TRUSTEES OF THE MCQUAY NEW
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PLAN,

Defendants.

CIVIL ACTION NO. 07 CV 9389 (JSR)

Civil Action

CERTIFICATE OF SERVICE

KAREN L. CHIANDUSSE, being of full age, hereby certifies as follows:

1. I am a paralegal with the law firm Cole, Schotz, Meisel, Forman & Leonard, P.A., attorneys for Plaintiffs Donald Heimstaedt and Todd Korte in the above-captioned matter. I am over the age of eighteen (18) years and not a party to this action.

2. I certify that on **December 11, 2007**, this office served a copy of Plaintiffs' motion to admit Adam J. Sklar, Esq. *pro hac vice*, Affidavit of Randi W. Kochman, Esq. in support of motion, Affidavit of Adam J. Sklar, Esq. in support of his admission *pro hac vice*, and proposed form of Order upon the following, via Federal Express Delivery:

Arthur J. Semetis, Esq.
Law Offices of Arthur J. Semetis, P.C.
286 Madison Avenue
14th Floor
New York, NY 10017
Attorney for Defendants
Prem.Air Group Of New York, LLC,
Prem.Air Group, LLC,
George Koutsos, Eric Berkowitz,
Mcquay New York, LLC 401(K) Profit Sharing Plan,


KAREN L. CHIANDUSSE

DATED: December 11, 2007

UNITED STATES DISTRICT COURT
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PROFIT SHARING PLAN, and XYZ
TRUSTEES OF THE MCQUAY NEW
YORK, LLC 401(K) PROFIT SHARING
PLAN,

Defendants.

CIVIL ACTION NO. 1:05-CV-02186 (SCR)

Civil Action

**ORDER ADMITTING ADAM J.
SKLAR, ESQ. *PRO HAC VICE* AS
COUNSEL FOR PLAINTIFFS ON
WRITTEN MOTION**

UPON THE MOTION of Randi W. Kochman, Esq., Cole, Schotz, Meisel,
Forman & Leonard, P.A., attorneys for Plaintiffs Donald Heimstaedt and Todd Korte and
said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that,

Adam J. Sklar, Esq.

Cole, Schotz, Meisel, Forman & Leonard P.A.

900 Third Avenue – 16th Floor

New York, New York 10022

and

25 Main Street, Hackensack, New Jersey 07601

(212) 752 8000 and (201) 525-6234

(201) 678-6234

asklar@coleschotz.com

is admitted to practice *pro hac vice* for Plaintiffs, Donald Heimstaedt and Todd Korte, in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: December ___, 2007
New York, New York

Hon. Jed S. Rakoff, U.S.D.J.